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**DATE MAILED:** 04/14/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

Commissioner of Patents and Trademarks

☒ Responsive to communication(s) filed on *Mar 10, 1998* .

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire ____3____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims**

☒ Claim(s) *1-12* is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-12* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

**Application Papers**

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____ .

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). ___2___

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

*--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---*

## DETAILED ACTION

### *Drawings*

1.      New formal drawings are required in this application because the draftsperson's objection.

Applicant is advised to employ the services of a competent patent draftsperson outside the Office,

as the Patent and Trademark Office no longer prepares new drawings. The drawings are

acceptable for examination purposes only.  New formal drawings will be required when the

application is allowed.

### *Priority*

2.      Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers

have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

3.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or
> on sale in this country, more than one year prior to the date of application for patent in the United States.

4.      Claims 8, 10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshida

(4,736,094).

As to claim 8:

Yoshida discloses an IC card (integrated circuit card, col. 2, lines 60-68) applicable to an

electronic purse system (financial transaction processing system, col. 2, lines 60-68) having a

double-structured purse (col. 6, lines 12-58, Figs. 1, 4) comprising: a memory (col. 6, lines 12-27,

Fig. 1) in which a first purse with a first amount of money stored therein, a second purse with a

second amount of money stored therein (col. 6, lines 51-58, Fig. 4) and a payment processing

program are stored; a processor for executing payment processing according to the payment

processing program stored in said memory (col. 3, lines 12-34); a communicating unit for

executing communications with external devices (col. 6, lines 12-37, col. 7, lines 65-68, col. 8,

lines 1-41, Figs. 1-2); wherein said payment program executes payment processing according to

the second amount of money stored in said second purse when a payment command is received

from an external payment demanding device without any purse being specified, and executes the

payment processing to said external device according to the amount of money stored in said first

purse when a payment command based on specification of said first purse is received (col. 3,

lines 25-68, col. 4, lines 1-32).

As to claim 10:

Yoshida discloses an IC card transaction apparatus (integrated circuit card, col. 2, lines 60-68) for

selecting either one of an amount of money stored in an IC card and an amount of money stored

in a center account and executing payment in cash according to the selected amount of

money comprising: a detector for detecting insertion of an IC card (col. 6, lines 12-37, col. 7,

lines 65-68, col. 8, lines 1-41, Figs. 1-2); an acceptor for accepting specification of an arbitrary

mode after insertion of said IC card is detected by said detector (col. 6, lines 12-37, col. 7,

lines 65-68, col. 8, lines 1-41, Figs. 1-2); and a mode switch for switching from said center

account to a mode for payment in cash when specification of an arbitrary mode is not accepted in

said acceptor within a preset period of time after insertion of said IC card is detected (col. 10,

lines 45-68, col. 11, lines 1-34, col. 12, lines 64-68).

As to claim 12:

Yoshida discloses an IC card (integrated circuit card, col. 2, lines 60-68) applicable to an IC card

transaction system, said card having a first purse and a second purse and used for transaction

making use of the double-structured purse (col. 6, lines 12-58, Figs. 1, 4) consisting of said first

purse and second purse with the transaction apparatus (col. 6, lines 51-58, Fig. 4); wherein, when

a code number is received from the transaction apparatus, the processing for authorizing the

individual is executed with said received code number and amounts of money to be stored in

said first and second purses respectively are outputting to said transaction apparatus (col. 3, lines

25-68), and on the other hand, when a code number is not received from said transaction

apparatus, an amount of money for said second purse is outputting to said transaction apparatus

(col. 3, lines 25-68). The Examiner would like to point out that in Yoshida, if the first account or

"purse" accessed does not have enough money for a payment, the second account is accessed and

the transaction is completed, thus the authorization code is not given by the banking or other

authority for the first account since there is a lack of funds, and then further goes to the second

account.

## *Claim Rejections - 35 USC § 103*

5.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.      Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida

(4,736,094) in view of Read (EFTPOS: electronic funds transfer at point of sale, *Electronics &*

*Communication Engineering Journal*, November/December, 1989).

As to claim 1:

Yoshida discloses an electronic purse system (financial transaction processing system, col. 2,

lines 60-68) having a double-structured purse comprising (col. 6, lines 12-58, Figs. 1, 4): a

portable type of card-formed carrier body (col. 5, lines 63-68, col. 6, lines 1-27) comprising a first

rewritable and non-volatile memory (col. 6, lines 12-27, Fig. 1) in turn having a first area in which

a first deposited amount is stored and a second area in which a second deposited amount is stored

(deposit, first area, second area, col. 6, lines 51-58, Fig. 4), and an I/O terminal for accessing

information stored in said first and second non-volatile memories respectively (terminal, col. 6,

lines 12-37, col. 7, lines 65-68, col. 8, lines 1-41, Figs 1-2); when accessing said first area,

information is received from said I/O terminal, access is permitted if a code number included

satisfies a prespecified relation, and when accessing said second area, access to said second area is

permitted if an identification number indicating a type of accessible transaction apparatus

(Fig. 8B-9B, col. 3, lines 35-59); a withdrawing machine for transferring all or a portion of a

deposited amount to the first area of the memory in said card-formed carrier body, which

identification information for the apparatus and a code number inputted by the card holder and

transfers the information or number to said card-formed carrier body (col. 3, lines 35-68, col. 7,

lines 12-29, Fig. 6); an input unit for inputting a code number and a amount of money to be

transferred from said first area to said second area in said card-formed carrier body (col. 3,

lines 35-68); a transfer unit for supplying the code number, amount of money to be transferred,

and identification information inputted by said input unit to said card-formed carrier body (col. 3,

lines 35-68, Fig. 10A-10B); and a device in the user's side for transmitting an amount of money

used and the apparatus information to use a deposited amount stored in the second area of said

card-formed carrier body (col. 3, lines 35-68, col. 4, lines 1-32); wherein said card-formed carrier

body updates said first area, when transfer is instructed by said transfer unit and said individual's

authorization number is accepted, by subtracting a specified amount of money from the deposited

amount stored in said first area, and also writes the specified amount of money in said second

area, and allows, when an amount of money to be used is instructed from said device in the user's

side and at the same time access to said second area is permitted according to said identification

information, use of the instructed amount of money with said device in the user's side by

subtracting said amount of money to be used (col. 3, lines 35-68, col. 4, lines 1-32). However,

Yoshida does not specifically use ciphering and deciphering. Ciphering and deciphering of

information is the equivalent as encrypting and decrypting data. Read discloses a means for

encrypting data to be transmitted, and means for decrypting encrypted data which is received,

thereby preventing interception or interference (encryption, decryption, Figs. 9-11, pg. 268,

cols. 2-3, pg. 268, cols. 1-3, pg. 270, col. 1, ¶1). It would have been obvious to one of ordinary

skill in the art at the time the invention was made to use the encryption of Read in the system of

Yoshida as Cordonnier ("Smart cards: present and future applications and techniques",

*Electronics & Communication Engineering Journal*, October, 1991) teaches the use of

encryption in the integrated circuit card technology (Cordonnier, pg. 207, cols. 1-2).

As to claim 2:

Yoshida discloses an electronic purse system (financial transaction processing system, col. 2,

lines 60-68) having a double-structured purse (col. 6, lines 12-58, Figs. 1, 4); wherein said card-

formed carrier body has a program making said second area allow only the withdrawal processing

stored in said second non-volatile memory (col. 6, lines 12-27, col. 9, lines 28-63, Fig. 1).

As to claim 3:

Yoshida discloses an electronic purse system (financial transaction processing system, col. 2,

lines 60-68) having a double-structured purse (col. 6, lines 12-58, Figs. 1, 4); wherein said card-

formed carrier body has further a third area in said first non-volatile memory (col. 6, lines 12-27,

Fig. 1) with identification information for a device in the user's side and a code number each

allowing access to said third area registered in said third area (col. 6, lines 38-58, Figs. 3-4), and a

program for allowing addition or subtraction in said third area when identification information and

a code number corresponding to information registered from said device in the user's side are

inputted is stored in said second non-volatile memory (col. 6, lines 12-27, col. 7, lines 65-68,

col. 8, lines 1-41, Figs. 1, 5-6).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida

(4,736,094) in view of Read (EFTPOS: electronic funds transfer at point of sale, *Electronics &*

*Communication Engineering Journal*, November/December, 1989) and in further view of Lessin

et al. (4,868,376) in view of Cordonnier ("Smart cards: present and future applications and

techniques", *Electronics & Communication Engineering Journal*, October, 1991).

As to claim 4:

The reference of Yoshida in view of Read discloses all of the above identified limitations except

the storing of historical information in an electronic purse system. However, Lessin et al. discloses

an electronic purse system (see abstract) having a double-structured purse (col. 6, lines 12-58,

Figs. 1, 4); wherein said card-formed carrier body stores in said third area identification

information indicating said device in the user's side subjected to addition and an amount of added

money as historical information (col. 7, lines 21-65, Figs. 10A-10B). Cordonnier ("Smart cards:

present and future applications and techniques", *Electronics & Communication Engineering*

*Journal*, October, 1991) teaches the use of various components in smart card and integrated

circuit card technology (Cordonnier, pg. 208, col. 3, pg. 209, cols. 1-2) which substantiates the

modification to the system of Yoshida. Therefore, it would have been obvious to one of ordinary

skill in the art at the time the invention was made to combine the storing of information as taught

by Lessin et al. with the system of Yoshida in view of Read.

Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida

(4,736,094) in view of Read (EFTPOS: electronic funds transfer at point of sale, *Electronics &*

*Communication Engineering Journal*, November/December, 1989) in further view of Cordonnier

("Smart cards: present and future applications and techniques", *Electronics & Communication*

*Engineering Journal*, October, 1991).

As to claim 5:

Yoshida discloses an electronic purse system (financial transaction processing system, col. 2,

lines 60-68) having a double-structured purse (col. 6, lines 12-58, Figs. 1, 4); wherein said card-

formed carrier body skips, when said device in the user's side demands payment without

specifying any area in said first non-volatile memory (col. 6, lines 12-27, Fig. 1), the processing

for the transferred information from said device in the user's side, and allows transaction for

subtracting information on the specified amount of money from said second deposited amount

(col. 3, lines 4-59). However, Yoshida does not specifically use ciphering and deciphering.

Ciphering and deciphering of information is the equivalent as encrypting and decrypting data.

Read discloses a means for encrypting data to be transmitted, and means for decrypting encrypted

data which is received, thereby preventing interception or interference (encryption, decryption,

Figs. 9-11, pg. 268, cols. 2-3, pg. 268, cols. 1-3, pg. 270, col. 1, ¶1). Cordonnier ("Smart cards:

present and future applications and techniques", *Electronics & Communication Engineering*

*Journal*, October, 1991) teaches the use of encryption in the integrated circuit card technology

(Cordonnier, pg. 207, cols. 1-2) for the purpose of security during data transfer. Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was made to

use the encryption of Read in the system of Yoshida.

As to claim 11:

Yoshida discloses a transaction apparatus for executing transaction with an IC card (integrated

circuit card, col. 2, lines 60-68) having a first purse and a second purse (col. 6, lines 51-58,

Fig. 4); wherein said transaction apparatus executes transaction making use of the amount of

money stored in said second purse, when a demand for payment is received based on specification

of said first purse, if it is turned out, after the demand for payment is authorized according to the

code number, that the amount of money stored in said first purse is less than the amount of money

required for the transaction (col. 3, lines 35-68, col. 4, lines 1-32). However, Yoshida does not

disclose ciphered information. Ciphering and deciphering of information is the equivalent as

encrypting and decrypting data. Read discloses a means for encrypting data to be transmitted, and

means for decrypting encrypted data which is received, thereby preventing interception or

interference (encryption, decryption, Figs. 9-11, pg. 268, cols. 2-3, pg. 268, cols. 1-3, pg. 270,

col. 1, ¶1). It would have been obvious to one of ordinary skill in the art at the time the invention

was made to use the encryption of Read in the system of Yoshida as Cordonnier ("Smart cards:

present and future applications and techniques", *Electronics & Communication Engineering Journal*, October, 1991) teaches the use of encryption in the integrated circuit card technology (Cordonnier, pg. 207, cols. 1-2).

Claims 6-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida (4,736,094) in view of Lessin et al. (4,868,376) in further view of Cordonnier ("Smart cards: present and future applications and techniques", *Electronics & Communication Engineering Journal*, October, 1991).

As to claim 6:

Yoshida discloses an IC card (integrated circuit card, col. 2, lines 60-68) applicable to an electronic purse system (financial transaction processing system, col. 2, lines 60-68) having a double-structured purse (col. 6, lines 12-58, Figs. 1, 4) comprising: a memory (col. 6, lines 12-27, Fig. 1) in which a first purse with a first amount of money stored therein, a second purse with a second amount of money stored therein (col. 6, lines 51-58, Fig. 4), communicating means for executing communications with external devices (col. 6, lines 12-37, col. 7, lines 65-68, col. 8, lines 1-41, Figs. 1-2); wherein according to said payment processing program, said processor takes a step of; distinguishing said external device communicating between first type of transaction using only said second purse being allowed and second type of transaction using both of said first and said second purse being allowed (Figs. 8B-9B, col. 3, lines 35-59); said external device being allowed to proceed said second type of transaction during the payment transaction (Figs. 8B-9B, col. 3, lines 35-59); and executing payment processing program without ciphering

communication data for said external device being allowed to proceed said first type of the

transaction (col. 3, lines 35-68, col. 4, lines 1-32). However, Yoshida does not disclose the use of

a payment processing program on the IC card or the use of a cipher program. Lessih et al.

discloses a payment processing program (Lessin, col. 3, lines 36-56) and cipher program (Lessin,

encryption, col. 4, lines 24-53); processor for executing said payment processing program (Lessin,

col. 3, lines 36-56) and cipher program (Lessin, encryption, col. 4, lines 24-53); executing

payment processing program with ciphering at least a part of communication data (Lessin, col. 3,

lines 36-56, encryption, col. 4, lines 24-53). It would have been obvious to one of ordinary skill in

the art at the time the invention was made to combine the storing of information as disclosed by

Lessin et al. with the system of Yoshida as Cordonnier ("Smart cards: present and future

applications and techniques", *Electronics & Communication Engineering Journal*,

October, 1991), teaches the use of various components in smart card and integrated circuit card

technology (Cordonnier, pg. 208, col. 3, pg. 209, cols. 1-2).

As to claim 7:

Yoshida discloses an IC card (integrated circuit card, col. 2, lines 60-68) applicable to an

electronic purse system (financial transaction processing system, col. 2, lines 60-68) having

double-structured purse (col. 6, lines 12-58, Figs. 1, 4), further comprising: said memory (col. 6,

lines 12-27, Fig. 1) storing key information in a read protection area protected to read from said

external device (col. 4, lines 28-32, Figs. 3-4). However, Yoshida does not disclose the use of a

cipher program. Lessin et al. discloses a cipher program which is commonly embodied in

the authorized external devices for the electric money transaction (Lessin, encryption, col. 3, lines

36-56, col. 4, lines 24-53); and said cipher program ciphering the transaction data using said key

information stored said memory (Lessin, encryption, col. 3, lines 36-56, col. 4, lines 24-53). It

would have been obvious to one of ordinary skill in the art at the time the invention was made to

combine the storing of information as disclosed by Lessin et al. with the system of Yoshida as

Cordonnier ("Smart cards: present and future applications and techniques", *Electronics &*

*Communication Engineering Journal*, October, 1991), teaches the use of various components in

smart card and integrated circuit card technology (Cordonnier, pg. 208, col. 3, pg. 209, cols. 1-2).

As to claim 9:

Yoshida discloses an IC card (integrated circuit card, col. 2, lines 60-68) applicable to an

electronic purse system (financial transaction processing system, col. 2, lines 60-68) having a

double-structured purse (col. 6, lines 12-58, Figs. 1, 4) comprising: a memory (col. 6, lines 12-27,

Fig. 1) in which a first purse with a first amount of money stored therein, a second purse with a

second amount of money stored therein (col. 6, lines 51-58, Fig. 4), a communicating unit for

executing communications with external devices (col. 6, lines 12-37, col. 7, lines 65-68, col. 8,

lines 1-41, Figs. 1-2); and an interface for managing interface with external transaction devices

(col. 3, lines 12-59); wherein said payment program executes the payment processing according

to the second amount of money stored in said second purse when a payment command not based

on specification of the first purse is received via said interface from an external device, and

communicates with the external device and executes the payment processing to said external

device according to the amount of money stored in said first purse when a payment command based on specification of said first purse is received (col. 3, lines 35-68, col. 4, lines 1-32). However, Yoshida does not disclose the use of a cipher program in relation to the payment processing system. Lessin et al. discloses a ciphering/de-ciphering program (Lessin, encryption, col. 3, lines 36-56, col. 4, lines 24-53) and a payment processing system with a processor for executing payment processing according to the payment processing program stored in said memory (Lessin, col. 3, lines 36-56, col. 4, lines 24-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the processing and ciphering as disclosed by Lessin et al. with the system of Yoshida as Cordonnier ("Smart cards: present and future applications and techniques", *Electronics & Communication Engineering Journal*, October, 1991), teaches the use of various components in smart card and integrated circuit card technology (Cordonnier, pg. 208, col. 3, pg. 209, cols. 1-2).

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks ·
Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**or:**

(703) 305-0040 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington,
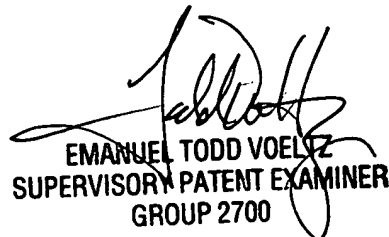
VA, Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura H. Pluta whose telephone number is (703) 305-0571. The examiner can normally be reached on Monday through Friday from 8:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emanuel Todd Voeltz, can be reached on (703) 305-9714. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LHP

April 12, 1999

EMANUEL TODD VOELTZ
SUPERVISORY PATENT EXAMINER
GROUP 2700